

# **EXHIBIT 9**

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**From:** Shelquist, Robert K. <rkshelquist@locklaw.com>  
**Sent:** Monday, January 4, 2021 10:36 AM  
**To:** Brantley Pepperman; steve@hbsslaw.com; shanas@hbsslaw.com; Bruckner, W. Joseph; Clark, Brian D.; Peterson, Rebecca A.; Wagner, Arielle S.; Chen, Stephanie A.  
**Cc:** Stephen Swedlow; Kevin Teruya; Adam Wolfson; Michelle Schmit; Ashley Keller; Warren Postman; Ben Whiting; Jason Ethridge  
**Subject:** RE: Request for Stipulation in Klein et al. v. Facebook, Inc., Case No. 5:20-cv-08570-LHK (N.D. Cal.)

[EXTERNAL EMAIL]

Brant:

Thank you for your e-mail and Happy New Year to you and your co-counsel. In response to your e-mail, the Kupcho counsel believe that it is premature to take a position on the Klein motion to relate while Defendant's motion to relate in the Real Chat matter is still pending. Once Judge Freeman rules we will be happy to revisit your request.

We agree to accept service of any motion you intend to file on this or other matters by e-mail.

Please let us know if you want to discuss this or any other matters.

Thanks.

Rob

**From:** Brantley Pepperman <brantleypepperman@quinnemanuel.com>  
**Sent:** Wednesday, December 30, 2020 6:15 PM  
**To:** steve@hbsslaw.com; shanas@hbsslaw.com; Bruckner, W. Joseph <wjbruckner@locklaw.com>; Clark, Brian D. <bdclark@locklaw.com>; Shelquist, Robert K. <rkshelquist@locklaw.com>; Peterson, Rebecca A. <rapeterson@locklaw.com>; Wagner, Arielle S. <aswagner@locklaw.com>; Chen, Stephanie A. <sachen@locklaw.com>  
**Cc:** Stephen Swedlow <stephenswedlow@quinnemanuel.com>; Kevin Teruya <kevinteruya@quinnemanuel.com>; Adam Wolfson <adamwolfson@quinnemanuel.com>; Michelle Schmit <michelleschmit@quinnemanuel.com>; Ashley Keller <ack@kellerlenkner.com>; Warren Postman <wdp@kellerlenkner.com>; Ben Whiting <ben.whiting@kellerlenkner.com>; Jason Ethridge <jason.ethridge@kellerlenkner.com>  
**Subject:** Request for Stipulation in Klein et al. v. Facebook, Inc., Case No. 5:20-cv-08570-LHK (N.D. Cal.)

Counsel,

I am reaching out on behalf of the plaintiffs in the case captioned *Klein et al., v. Facebook, Inc.*, Case No. 5:20-cv-08570-LHK. Northern District of California Local Rule 3-12(b) requires a party to "file in the lowest-numbered case an Administrative Motion to Consider Whether Cases Should Be Related" whenever the party learns that a later-filed action may be related to the earlier-filed action within the meaning of Local Rule 3-12(a). See Civil Local Rule 3-12(b).

Pursuant to Local Rule 3-12(b), the plaintiffs in *Klein*—the "lowest-numbered case"—plan to file an administrative motion to consider whether several later-filed consumer cases, including *Kupcho*, should be related to *Klein*. Given the overlap between *Klein* and *Kupcho*, please let us now if you agree that *Kupcho* is related to *Klein*, in that they involve substantially the same parties, property, transaction, or event, and there will be an unduly burdensome duplication of labor and expense if the cases are conducted before different judges.

Given the holiday, we respectfully request that you let us know whether you will agree to stipulate to relate *Kupcho* to *Klein* no later than **Monday, January 4, 2021 at 12:00 PM (noon) Pacific Standard Time**. We anticipate filing the motion later that day. Please also let us know if you will agree to accept service of our motion by e-mail and on behalf of your clients.

We look forward to hearing from you and wish you a happy new year.

Brant

**Brantley Pepperman**

*Associate*

Quinn Emanuel Urquhart & Sullivan, LLP

865 S. Figueroa Street, 10th Floor

Los Angeles, CA 90017

213-443-3561 Direct

213-443-3000 Main Office Number

213-443-3100 Fax

[brantleypepperman@quinnemanuel.com](mailto:brantleypepperman@quinnemanuel.com)

[www.quinnemanuel.com](http://www.quinnemanuel.com)

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